

**Chadds Ford Township Board of Supervisors Meeting  
January 6, 2003  
Reorganization Meeting**

**M I N U T E S**

OFFICIALS PRESENT:        James E. Shipley, Chairman  
                                 Deborah Love D'Elia, Vice Chairman  
                                 George M. Thorpe, Member  
                                 James C. Kelly, PE, PLS, Township Engineer  
                                 Richard J. Jensen, Building Inspector/CEO  
                                 Hugh A. Donaghue, Esquire, Township Solicitor  
                                 Maryann D. Furlong, Secretary/Treasurer

**CALL TO ORDER**

Mr. Shipley called the meeting to order at 7:30 PM. The Pledge of Allegiance was said.

Mr. Thorpe was appointed to act as temporary Chairman and announced that in accordance with provisions of the Pennsylvania Municipal Code, the first order of business would be the reorganization of the Board and various Township committees. This was to be the only meeting of the Board of Supervisors for the month of January.

**NOMINATIONS**

*MOTION TO ELECT CHAIRMAN AND VICE CHAIRMAN*

Mr. Thorpe nominated James E. Shipley to be Chairman and Deborah Love D'Elia to be Vice Chairman of the Board of Supervisors for the year 2003. Mr. Shipley seconded and the motion carried unanimously.

Mr. Thorpe turned the meeting over to Mr. Shipley, who opened the floor for nominations of a slate of appointed officials in the Township.

*MOTION TO NOMINATE*

Upon motion of Mrs. Love D'Elia and second of Mr. Thorpe, the following nominations were unanimously approved:

- BRUCE PRABEL as Road Master
- to appoint the firm of Donaghue and Bradley, specifically HUGH DONAGHUE, Esquire, as Township Solicitor. Retainer is to be \$400.00 per month and \$125.00 per hour;
- To continue to employ ROBERT L. PINTO, Esquire, (Levis & Pinto) as

secondary counsel with fees to remain the same (Fee letter attached);

- To continue to employ JAMES C. KELLY of Kelly Engineers as the Township's principal engineering company with fees to remain the same (Fee Schedule attached);
- To continue to employ KELLY ENGINEERS; specifically WILL MCBETH and JOHN IBACH, as the Township's Sewage Enforcement Officers;
- To continue to employ the BRANDYWINE CONSERVANCY, or equivalent consultant, for land development review services (Fee scheduled attached);
- To continue with COMMERCE BANK as the depository for the Township's funds;
- Adoption of Resolution 2003-1, approving the appointment of ELKO ADVISORY GROUP, LLC as the Township appointed auditors for 2003;
- PHILIP WENRICH to remain as Emergency Coordinator;
- RICHARD J. JENSEN to remain as Building Inspector, Code Enforcement Officer, Zoning Officer, and Plumbing Inspector. Retainer of \$735.00 per month. Other compensation shall remain the same as follows:

Fees	<u>% of Fees Collected</u>
Zoning	70%
Building	35%
Plumbing	60%
Grading	70%
Certificates of Occupancy (w/o permits)	70%
Certificates of Occupancy (w/permits)	35%

- To continue to employ MARYANN FURLONG as Secretary/Treasurer. Remuneration of \$1750 per month;
- To continue to employ FRANCIS T. SBANDI, Esquire, as Solicitor for the Zoning Hearing Board. The basis for fees is to remain the same;
- SIGURD S. SWENSSON as Vacancy Officer for a one-year term;
- WILLIAM TAYLOR to the Planning Commission for a four-year term (01/2003 – 12/2006);

- FRED REITER to the Planning Commission for a four-year term (01/2003 – 12/2006);
- GARRY PAUL to the Sewer Authority for a five-year term to fill vacancy of Sandra Morgan (01/2003 – 12/2007);
- VINCE DEL ROSSI to the Sewer Authority for a one-year term to fill the vacancy of Jerome Heisler (01/2003 – 12/2003);
- DIANE PENDLETON to the Zoning Hearing Board for a three-year term (12/2003 – 12/2005);
- JOSEPH VAITES as an Alternate Member of the Zoning Hearing Board for a three-year term;
- GARY SHARP as a member of HARB for a five-year term (01/2003 – 12/2007);
- JOSEPH PILEGGI as a member of the Open Space Committee for a three year term to fill the expired vacancy of Samantha Reiner (01-2003 – 12/2005);
- MICHAEL DEL ROSSI to the Open Space Committee for a three year term to fill the vacancy of Sig Swenson (12/2003 – 12/2005).

The Treasurer's Bond has been previously established at \$900,000.

To fill the vacancy on the Open Space Committee created by Mr. Donaghue's appointment as Township Solicitor, Mrs. Love D'Elia moved to appoint Joan Murshak to that post.

***MOTION TO APPOINTMENT JOAN MIRSHAK - OPEN SPACE COMMITTEE***

Upon motion and second (D'Elia, Thorpe), the Board of Supervisors unanimously approved the appointment of Joan Mirshak to the Open Space Committee, term to run 01/2003 – 12/2004.

***MOTION TO APPROVE 2003 MEETING SCHEDULE***

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors unanimously approved the 2003 Township Meeting Schedule as presented. A copy of same is attached hereto.

The reorganization portion of the meeting was concluded.

**STATE POLICE REPORT**

Sergeant Anthony Sivo, Patrol Section Supervisor for the Pennsylvania State

Police, Media barracks, presented the State Police Report for the month of December, 2002. The Sergeant reported as follows: 55 alarm calls; 35 accidents; 1 disorderly conduct; 8 criminal mischeifs; 12 thefts; 7 burglaries; 3 911 hangups; 4 people arrested for DUI; 1 indecent assault; 1 forgery; 1 robbery; 1 Act 54; 1 harassment by communications and 2 criminal homicides. Sergeant Sivo asked for the communities' cooperation in reducing the number of false alarm calls because they are very time consuming for the state police. After three false alarm calls to the same address, the State Police will impose a fine of \$25.00.

#### **PUBLIC COMMENT**

There were no comments made.

#### ***MOTION TO APPROVE MINUTES:***

Upon motion and second (Thorpe, Shipley) the Supervisors unanimously approved minutes of the Board of Supervisors meeting of December 4, 2002, draft dated 12/31/2002 – 1:00 PM, with minor changes to be made by Mr. Thorpe.

Upon motion and second (Thorpe, Shipley) the Supervisors unanimously approved minutes of the Board of Supervisors Budget Meeting of December 20, 2002, draft dated 01/06/2003 – 11:07 AM.

#### **REPORTS:**

##### **SUPERVISORS' REPORTS – DEBORAH LOVE D'ELIA**

Mrs. Love D'Elia reviewed the status of the road renumbering mailing. She encouraged all present and neighbors to change numbers on mailboxes. Emergency services and post office personnel have received notices and will recognize the new numbers.

Mr. Thorpe stated that all undeliverable letters are being resent and a dozen or so errors have been corrected. Post office personnel are now checking routes against new numbers and will update Mr. Thorpe with any suggestions. Mr. Thorpe will subsequently update all support services.

#### **TREASURER'S REPORT**

Mrs. Furlong presented the Treasurer's Report for the month of December, 2002, a copy of which is attached hereto.

Account balances as of December 31, 2002:	\$ 770,315.08
Total receipts for the month of December, 2002:	\$ 28,002.55
Total disbursements for January 6, 2002:	\$ 44,493.20

#### ***MOTION TO APPROVE TREASURER'S REPORT***

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors unanimously approved the Treasurer's Report of January 6, 2003, and payment of bills as presented.

#### **ROADMASTER'S REPORT**

Mr. Prabel presented the Roadmaster's Report for the month of December, 2002, a copy of which is attached hereto.

Mr. Shipley questioned why PennDOT has placed stop signs on Route 100 on both sides of the intersection of Station Way Road. The matter was briefly discussed and Mr.

Shipley asked Mr. Prabel to question PennDOT when he has an opportunity.

Mr. Shipley commented that the Heyburn Road culvert replacement project went very smoothly. He also thanked all who helped in requesting PennDOT to grant permanent status to the light at Ring Road and Route 100.

#### PLANNING COMMISSION:

Mr. Taylor presented the Planning Commission report for the month of December, 2002, a copy of which is attached hereto.

There was discussion regarding the Fisher Carpet application and how to best prevent cut through traffic in the area of Oakland Road and Route 202. Township Engineer Jim Kelly suggested that the Township remain vigilant in efforts to control the problem.

#### ZONING HEARING BOARD:

There was no December meeting of the Zoning Hearing Board, however, a hearing for the Volpe Tile sign is on the agenda for January.

#### *MOTION TO OPPOSE VARIANCE APPLICATION OF VOPLE TILE*

Upon motion and second (Shipley, Thorpe), the Board of Supervisors unanimously approved the attendance of the Township Solicitor at the Zoning Hearing Board meeting of January 15, 2002, to oppose the application of Volpe Tile for a sign variance.

#### HARB:

There was no report presented for the month of December, 2002.

#### SEWER AUTHORITY:

Mr. Murray presented the Sewer Authority report for the month of December, 2002, a copy of which is attached hereto.

In response to a question from Mrs. Love D'Elia, Mr. Murray stated that John Spoehr is the local representative for the work being do on the Ridge Road extension and Supervisors can contact him with any questions.

Mr. Shipley stated that he expects some major decisions to be made during the upcoming year regarding future work sites. Ms. Love D'Elia, acting as a liaison between the Board and the Sewer Authority, will keep the Board members advised.

#### BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER

Mr. Jensen reported the issuance of the following during the reporting month: 1 demolition permit; 1 permit for a residential addition; 1 grading permit; 3 sign permits; 2 temporary sign permits; 1 commercial alteration permit; 2 plumbing permits, and 4 certificates of occupancy for completed jobs.

#### ENGINEER'S REPORT:

Mr. Kelly presented the Engineer's Report for the month of December, 2002, a copy of which is attached hereto. Mr. Kelly circulated copies of a proposed ordinance, which will now be necessary to satisfy DEP regulations regarding compliance with storm

water management and will keep the Township informed of all future issues that require action. Mr. Shipley referred the issue of Storm Water management to the Planning Commission for input and suggested amending the Township's current ordinance governing same.

#### *MOTION TO RELEASE ESCROW FUNDS – Dr. HARRY GRAY*

Upon motion and second (Thorpe, D'Elia), in accordance with the suggestion of Township Engineer James P. Kelly, the Board of Supervisors unanimously approved the second release escrow funds to Dr. Harry Gray in the amount of \$9,326.85.

#### *MOTION TO APPROVE PAYMENT – HEYBURN ROAD DRAINAGE PROJECT*

Upon motion and second (Thorpe, D'Elia), upon the recommendation of Township Engineer James P. Kelly, the Board of Supervisors approved payment of \$44,514.00 to Rittenbaugh, Inc., representing ninety percent of the contract amount for the Heyburn Road Drainage Project.

#### SOLICITOR'S REPORT

On behalf of Chadds Ford Township, Mr. Shipley stated that he appreciated the work of Donald T. Petrosa, Esquire, on behalf of the Township for the past twelve years. Mr. Thorpe and Mrs. D'Elia concurred.

Mr. Donaghue reported that he had spoken with Mr. Petrosa and was working on an orderly transition. Mr. Petrosa will finalize the agreement for the Loop Road and documentation will be forthcoming. Mr. Donaghue will attend the Zoning Hearing Board meeting on January 15<sup>th</sup> to oppose the request of Vople Tile for a sign variance. Mr. Donaghue also thanked the Township for its consideration and is looking forward to working with all in the future.

#### OPEN SPACE COMMITTEE

Mrs. Love D'Elia introduced new member Joseph Pileggi to those present. A monthly report was not presented.

#### TOWNSHIP PROPERTIES COMMITTEE

Mr. Thorpe had received reports on the Turner's Mill Property from both the Kachelle Group and Kelly Engineers and will begin a review of same later in the month. Mr. Shipley asked Mrs. Furlong to provide a copy of the Kachelle report to Mr. Kelly and Mr. Wandersee.

#### EMERGENCY COORDINATOR REPORT

Mr. Wenrich had no report to present for the month of December, 2002. Mr. Shipley circulated a first draft of a proposed ordinance regulating open burning and directed Mrs. Furlong to provide copies for the Planning Commission members in order to obtain their input.

## FINANCIAL ADVISORY BOARD

Ms. Love D'Elia reported that no meetings had been held during the month of December. Mrs. Furlong is continuing to work with Debbie Pitt of Elko Associates to fine tune the chart of accounts.

## OLD BUSINESS

### ROAD RENUMBERING UPDATE

An update on road renumbering had been given earlier in the meeting.

### 2003 FIRE CONTRACT

Approval of the 2003 Fire Contract with Concordville Fire and Protective Services was postponed pending legal advertising of same, upon the recommendation of Township Solicitor Hugh Donaghue.

The appointment of Elko Associates was also postponed pending legal advertising.

## NEW BUSINESS

### APPLICATION FOR MASSAGE PERMIT

Mr. Jensen informed the Supervisors of an application that had been made to open a massage parlor within the Township. All fees had been paid and the Certificate of Occupancy form had been filed, however, some final documentation had not yet been submitted. The applicant, Mr. Pong, proposed opening an office to provide hydrotherapy, acupuncture and massage therapy. Hours of operation would be 9:00 AM through 9:00 PM. Mr. Pong and his wife would be the masseuses.

Mr. Shipley suggested waiting until all paperwork was finalized before considering the application and asked Mr. Jensen and Mr. Donaghue to create a form for such use. Mr. Shipley asked Mr. Pong to submit a resume to the Board, including past education and employment experience, so that a decision on the permit may be made at the February meeting.

## **ADJOURNMENT**

There being no further business, upon motion and second (D'Elia, Thorpe), the meeting was adjourned at 9:15 PM.

Respectfully submitted,

MARYANN D. FURLONG  
Township Secretary